

# **EXHIBIT 1**



ENZO BIOCHEM, INC.  
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NEW YORK, NY 10022

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**SEP 12 2006**

**OFFICE OF PETITIONS**

In re Application of  
Dean L. Engelhardt et al.  
Application No. 10/260,031  
Filed: June 6, 2003  
Attorney Docket Number: ENZ-52(D2)(C)

ON PETITION

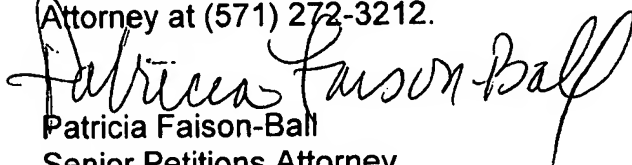
This is a decision on the petition under 37 CFR 1.137(b)<sup>1</sup>, filed March 29, 2006, to revive the above identified application.

The petition is **GRANTED**.

This application became abandoned October 13, 2004 for failure to timely reply to the Notice to File Missing Parts mailed August 12, 2004, which set a two (2) month shortened statutory period for reply. Accordingly, a Notice of Abandonment was mailed January 25, 2006.

The filing of the response to the Notice to File Missing Parts mailed August 12, 2004 is acknowledged. All other requirements having been met, this matter is being referred to the Office of Initial Patent Examination for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

  
Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

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<sup>1</sup>Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).